

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RUSSELL LEE X. VANCE,	:	
Petitioner,	:	1:21-cv-0422
v.	:	
	:	Hon. John E. Jones III
	:	
SUPERINTENDENT THOMAS	:	
MCGINLEY,	:	
Respondent.	:	

**ORDER**

**April 5, 2021**

NOW THEREFORE, upon consideration of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 1), and in accordance with the Court's Memorandum of the same date, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is DEEMED filed and DISMISSED without prejudice.<sup>1</sup> *See R. GOVERNING §2254 CASES R. 4.*
2. The Clerk of Court is directed to NOTIFY the Petitioner and CLOSE this case.
3. The dismissal is without prejudice to Petitioner's right to pursue his claim in a properly filed civil rights complaint.

s/ John E. Jones III  
John E. Jones III, Chief Judge  
United States District Court  
Middle District of Pennsylvania

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<sup>1</sup> Petitioner paid the filing fee on March 30, 2021. (Doc. 4).